

RESOLUTION #36-2014

MAY 6, 2014

BY: ENTIRE COUNCIL

**INTRO NO. 1 TO
LOCAL LAW #2-2014
CITY OF DUNKIRK, NEW YORK**

**A LOCAL LAW MODIFYING CHAPTER 65 OF THE DUNKIRK CITY CODE
ENTITLED "SIDEWALKS AND STREETS"**

BE IT ENACTED by the Common Council of the City of Dunkirk as follows:

Section 1 Intent

It is the intent of this Local Law to amend the Dunkirk City Code in order to provide a framework to encourage healthy, active living, reduce traffic congestion and fossil fuel use, and improve the safety and quality of life of residents of the City of Dunkirk by providing safe, convenient, and comfortable routes for walking, bicycling, and public transportation through a *Complete Streets Policy*.

Section 2 Amendment of City Code

Chapter 65 – Sidewalks and Street, Section 32 – Complete Streets Policy of the Dunkirk City Code is hereby amended as follows:

ADD

§ 65-32. Complete Streets Policy.

- A. **Declaration of Policy.** In the interest of improving inter-modal transportation options, safety and accessibility for all users, the concept of *Complete Streets* has been recognized and adopted in numerous localities across the United States. The City of Dunkirk will make *Complete Streets* practices a routine part of everyday operations, will approach every transportation project and program as an opportunity to improve City streets, will incorporate all relevant existing and future planning documents approved or adopted by the Common Council, and will work in coordination with other departments, agencies and jurisdictions to achieve *Complete Streets*. *Complete Streets* design and practices include, but are not limited to, sidewalks, crosswalks, curb ramps, accessibility features for people with disabilities,

paved shoulders for biking, designated bicycle lanes, off-road paths, signage and traffic-calming measures.

B. **Designs and Practices.** *Compete Streets* designs and practices shall be incorporated in new construction and reconstruction projects in the City, except when the Director of the Department of Public Works demonstrates that one of the following conditions is met:

1. Bicyclists and pedestrians are prohibited by law from using the roadway. In this instance, bicyclists and pedestrians will be accommodated elsewhere within the right-of-way or within the same transportation corridor; or,
2. The cost would be excessively disproportionate to the need based on the following factors: population density, land use, projected and current traffic volumes, projected and current bicycle and pedestrian use; or,
3. The existing right-of-way does not allow for sidewalks, paved shoulders or other improvements, in which case potential alternatives will include the appropriate use of lane re-striping, signage, traffic-calming measures and/or enhanced education and enforcement; or,
4. Where severe topographic or natural resource constraints prohibit such accommodations; or,
5. Where conditions or restrictions outside the purview of the City prohibit such actions.

C. **Guidelines.** *Complete Streets* designs and practices shall be provided and maintained in accordance with guidelines adopted by the U.S. Department of Transportation (USDOT) and NYS Department of Transportation (NYSDOT), and with best practices identified by the City's Department of Public Works.

Section 3 Effective Date

This local law shall take effect immediately upon filing with the Secretary of State.

5-6-14 Councilwoman Szukala moved to table this Resolution with a Public Hearing to be held on May 20, 2014 at 5:20 PM. Seconded by Councilman Michalski.

Carried, all voting aye. TABLED.